

04-19-00

A

jc564 U.S. PTO
04/18/00**UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
94-042 CIP/CIPTotal Pages in this Submission
29**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

METHOD AND COMPOSITION FOR REMOVING COATINGS WHICH CONTAIN HAZARDOUS ELEMENTS

and invented by:

Thomas C. Rolle, James C. Wachtel and Gary L. Tinklenberg

jc564 U.S. PTO
09/550813
04/18/00If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/832,958

Which is a:

☒ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/322,252

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 18 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings (if drawings filed)
 - h. ☐ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

EL515052970US

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

94-042 CIP/CIP

Total Pages in this Submission

29

Application Elements (Continued)

3. ☐ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☒ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☒ Assignment Papers (~~cover sheet & documents~~) (unexecuted)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EL515052970US

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
94-042 CIP/CIP

Total Pages in this Submission
29

Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1 unexecuted for this new application
17. ☐ Additional Enclosures (please identify below):

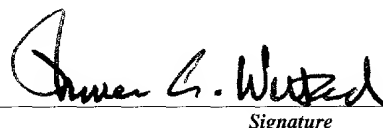
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	13	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	7	- 3 =	4	x \$39.00	\$156.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$345.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$501.00

- ☒ A check in the amount of \$501.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 03-2026 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: April 18, 2000


Signature

Thomas C. Wettach, Reg. No. 24,455
Cohen & Grigsby, P.C.
11 Stanwix Street
15th Floor
Pittsburgh, PA 15222

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Docket No.
94-042 CIP/CIP

Applicant(s): Rolle, et al.

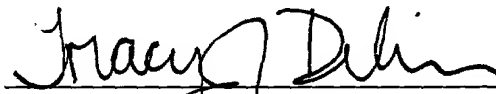
Serial No.
UNASSIGNEDFiling Date
HEREWITHPatent No.
N/AIssue Date
N/AInvention: METHOD AND COMPOSITION FOR REMOVING COATINGS WHICH CONTAIN
HAZARDOUS ELEMENTS

I hereby certify that the following documents:

- * New Patent Application Trans. (in dupl)
- * new cip patent application
- * Declaration/Pwr of Atty (unexecuted) * Assignment (unexecuted)
- * Ver. Statement – Small Entity (unexecuted)
- * C & G check for \$501

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee"
service under 37 CFR 1.10 in an envelope addressed to:The Commissioner of Patents and Trademarks
Washington, D.C. 20231-0001**EXPRESS MAIL LABEL NO.: EL515052983US**

Dated: April 18, 2000


Tracy J. Dillinger

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.
94-042 CIP/CIP

Serial No.
unassigned

Filing Date
herewith

Patent No.
N/A

Issue Date
N/A

Applicant/ **Rolle, et al.**
Patentee:

Invention: **METHOD AND COMPOSITION FOR REMOVING COATINGS WHICH CONTAIN HAZARDOUS**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **NexTec, Inc.**

ADDRESS OF CONCERN: **4050 Westmark Drive, Dubuque, IA 52002**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☒ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: James C. Wachtel
 TITLE OF PERSON SIGNING _____
 OTHER THAN OWNER: Executive Vice President
 ADDRESS OF PERSON SIGNING: 2075 Ogilby Road, Dubuque, IA 52002

SIGNATURE: _____ DATE: _____

TITLE

METHOD AND COMPOSITION FOR REMOVING COATINGS WHICH CONTAIN HAZARDOUS ELEMENTS

FIELD OF INVENTION

The present invention relates to a composition and method for removing coatings containing hazardous metals or organic material from the surface of metals and non-metals and, in particular, compositions for use with methods for removing such coatings and rendering the removal material a non-hazardous waste byproduct and minimizing the exposure of the waste byproduct to the environment. Additionally, the invention relates to the application of treatment materials to wastes that are to be disposed of with the hazardous coating intact.

RELATED APPLICATION

This is a continuation-in-part application of U.S. Patent application Serial No. 08/832,958, filed April 4, 1997, which is a continuation-in-part of United States Patent No. 5,674,108, entitled Method For Removing Coatings which Create Hazardous Byproducts..

BACKGROUND OF THE INVENTION

It is well known that coatings used on metals and nonmetals often contain various hazardous and toxic substances. When these coatings are removed or begin to fall off, the offending hazardous and toxic substances can create a risk to the environment and to humans exposed through work and living environments. This is

especially the case in the abrasive, mechanical and chemical removal of paint coatings such as the sand blasting of lead-based painted steel structures , the use of power tools on all types of surfaces or the use of chemical strippers. Additionally, abrasive or mechanical removal systems create a considerable amount of dust along with the paint waste generated. Both the dust and the wastes can contain the hazardous and toxic substances. Workers and the environment must be shielded from the waste and the dust through expensive containment systems and hazardous waste disposal procedures. The U.S. Environmental Protection Agency has included many of the ingredients of coatings, such as heavy metals, as hazardous substances which then become regulated waste material when removed. These wastes include heavy metals such as chromium, silver, lead, arsenic, barium, cadmium, selenium, mercury, zinc and others as well as polyvinyl chlorides, PCB, 2BHC and like toxins.

In many of the known removal processes, the hazardous substances create troublesome disposal and handling problems. Consequently, various types of systems have been devised to reduce, minimize or eliminate the hazard posed by coatings both in place and as wastes when removed. For example, vacuum recyclable abrasive blasting systems provide a closed loop in which a positive pressure and a variable recycling system provide good removal. Typically, steel or iron, grit or shot are used as the operative abrasive. A negative pressure or vacuum is applied to a hose positioned against the surface on which the coating to be removed is located and which collects the spent abrasive and removed coating with minimal exposure to the atmosphere. The

collected wastes and reusable abrasives are separated through known separation techniques.

Nonvacuum removal techniques require the containment and collection of the spent abrasive and paint waste to prevent environmental exposure. Containment, dust control and waste minimization activities are time consuming and expensive. In both methods, disposal of the waste is a significant problem.

In some cases, it is determined that managing a coating in place is more cost effective in the short term. In such cases, an encapsulant or over-coating is used to immobilize a peeling or chipping surface. The encapsulant acts to overcoat and bind any chipping or peeling paint to the substrate and prevent any of the toxic or hazardous elements from entering the environment. The encapsulant process does not remove or abate the deteriorating coating. Rather, it manages the problem in place to be dealt with at a later time. The hazardous or toxic elements are still present and will represent a disposal problem at a later time.

Many times architectural components are removed in their entirety. The components (such as door frames, windows, moldings, etc.) when tested in accordance with EPA procedures, and if painted with lead based paint, often result in the components being a hazardous waste. The treatment of this waste is so complicated and expensive that the EPA is considering granting an exemption from the hazardous waste regulations. This would allow great quantities of materials to be placed in non-

hazardous waste landfills completely untreated. This present invention provides an economical method for rendering such wastes non-hazardous.

One method of treating solid hazardous waste containing unacceptable levels of leachable metals is set forth in U.S. Patent No. 5,037,479 in which the solid waste is mixed with a buffering agent such as magnesium oxide or hydroxide and a salt or acid such as triple superphosphate, ammonium phosphate or diammonium phosphate. The method provides a way of converting hazardous wastes to a substantially nonleachable form. See also U.S. Patent No. 4,889,640 for a similar method of treating hazardous wastes and Methods to Treat EP Toxic Foundry Wastes and Waste waters, AFS Transactions, 1985, p. 737-740. See also U.S. Patent Nos. 5,266,122 and 5,439,527.

Accordingly, it is an object of the present invention to provide compositions and methods for their application to remove coatings that include a hazardous substance and prevent the removed waste from becoming a hazardous byproduct. It is a further objective of the invention to provide a method that facilitates compliance with the requirements of the various agencies regulating environmental exposure to hazardous substances. It is a further objective to provide a removal method and compositions for use therein which facilitates the handling and disposal of any waste in a manner which renders it exempt from regulation and which is both cost effective and practical to use.

SUMMARY OF THE INVENTION

Generally, the present invention provides compositions and methods using such compositions for the removal of coatings and surface materials from metals and

nonmetal surfaces or the treatment of components to be disposed of in their entirety. In one embodiment, the method comprises applying a treatment or surface preparation system in the form of an application layer to the surface coating to be removed prior to the removal process. In another embodiment the treatment composition can be added simultaneously either wet or dry with a separate hose along with an abrasive.

Additionally, the treatment or surface preparation layer can be applied simultaneously with a chemical stripper or encapsulant so that the reaction to render the waste non hazardous for heavy metals can take place when the waste is generated.

The treatment composition preferably comprises at least one compound selected from the group of alkali metal or alkaline earth metals and the silicates, phosphates, sulfates and oxides or hydroxides of alkali metals or alkaline earth metals and like materials. In one of the preferred embodiments the treatment composition is applied as a surface layer of the material to be removed with a thickness of from about 1 mil to approximately 100 mils at a viscosity of 25 to 640 stromer seconds. The thickness of the surface layer is related to the composition of the coating to be removed as well as the ratio of treatment material in the treatment coating. For example, a lesser amount of treatment material is required with a removal means such as a needle gun than with abrasive blasting because there is less volume of waste generated. Also, the higher ratio of active treatment material to solvent the thicker the coating. In a number of cases, it has also been found desirable to add a buffering agent to the treatment to maintain the pH of the resulting waste.

095334 044333
000407060

The treatment composition layer is removed abrasively, mechanically or with a chemical stripper together with the coating or surface sought to be removed. The treatment layer can also be applied to the surface of an object and the entire object can be disposed of as a non-hazardous waste. The treatment composition layer can also be incorporated into an encapsulant or over-coating and managed in place. The treatment composition renders hazardous material due to leachable heavy metals contained in the coating a non-hazardous waste. Generally, any type of removal equipment can be used including abrasives, power tools, chemical strippers, scrapers, brushes, high pressure water and automatic preparation and removal systems. The treatment composition can be either dry or wet during removal.

In the process of mechanical separation using recyclable abrasives, the reusable abrasive is mixed with constituents from the removed coating. The surface treatment reacts with any hazardous elements from the coating mixed with the abrasive and renders the waste produced non-hazardous as defined by EPA regulations [Toxicity Characteristic Leaching Procedure]. The surface preparation coating is removed during the abrasive recycling process and is incorporated into the waste. The clean abrasive is then ready for reuse.

The process of the present invention facilitates the removal and separation of old coatings containing hazardous and toxic substances from the surface and prevents the offending elements from entering the environment. More importantly, the invention provides an easy disposal process since the waste generated is not subject to regulation

and will not require chemical treatment prior to disposal. Other advantages of the present invention will become apparent from a perusal of the following description of presently preferred embodiments of the invention.

PRESENTLY PREFERRED EMBODIMENTS

The presently preferred embodiment of the invention comprises applying to the surface, a layer formed by the treatment composition that is removed together with the old coating. The compositions of the present invention comprise at least one compound selected from the group of alkali metal or alkaline earth metal or portland cement and/or phosphates, sulfates, silicates, oxides or hydroxides of alkali metals or alkaline earth metals and like materials. In particular the following components have been found particularly useful as the treatment composition of the present invention. These materials can be used alone or in combination with each other as well as with solvents, resins and surfactants. The preferred compounds comprise:

Sodium Silicate	Diammonium Phosphate
Sodium Metasilicate	Dicalcium Phosphate
Sodium Orthosilicate	Dipotassium Phosphate
Ferric Sulfite	Monocalcium Phosphate
Phosphate Rock	Dicalcium Phosphate
Potassium Silicate	Tricalcium Phosphate
Aluminum Sulfate	Trisodium Phosphate
Tricalcium Aluminate	Alum
Sodium Metabisulfite	Ferrous Sulfate
Metallic Iron	Ferric Sulfate
Silicate of Soda	Tricalcium Silicate
Soda Ash (Sodium Carbonate)	Dicalcium Silicate
Caustic Potash (Potassium Hydroxide)	Ferrous Oxide
Phosphoric Acid	Calcium Phosphate
	Calcium Carbonate
	Polythio Carbonates

Additional treatment composition compounds can be selected from the family of Pozzolans such as natural Pozzolans, including Rhenish Trass, Bavarian Trass, Santorian Earth, Rumanian Trass, Crimean Turf, U.S.A. Rhyolitic, Pumicite, and artificial Pozzolans, including Burnt Clay, spent oil shale, Raw Gaize, Raw Moler, Raw Diatomite, Burnt Diatomite, and Fly Ash or Phosphate rock. Also preferred are Portland cements of types I-V (ASTM C 150). These can be used in various mesh sizes and grades compatible with the methods of application used. Binary and tertiary compounds of cements are effective in the present invention. Also, cement kiln dusts can be effectively used in the present invention. Preferred compounds are such Tricalcium silicate, Calcium Hydroxide, Silicon Dioxide, Aluminum Oxide, Ferric Oxide, and the Phosphate families, Sulfate families, Sulfite families, and Silicate families. In addition, clays such as Bentonite, Illite, and Attapulgite are useful.

Preferred solvents include aliphatic and aromatic hydrocarbons such as hexane, heptane, mineral spirits and toluene, xylene and Barsol, alcohols, e.g., n-butanol esters such as ethyl acetate, butyl acetate, dibasic esters; glycol ethers; ketones such as acetone, MEK, MEP; chlorinated solvents, e.g., methylene chloride, trichloroethylene; glycols such as propylene glycol, ethylene glycol and the like. Also, water is used in many coatings.

Generally, the following examples set forth broad groups of treatment compositions. These compositions are useful in the novel methods of the present invention.

Example I:

A mixture containing calcium silicate or portland cement, magnesium oxide, tri sodium phosphate, resins, surfactants and either hydrocarbon solvents or water to produce a paintable treatment composition. The solids are preferably present in a ratio 10:0:0 to 0:0:1 and preferably about 7:1:0.2. The former ratio is useful in spray coating architectural elements which have a hazardous material contained in the coating. This is useful in overcoating for disposal of such elements. Solvents such as naphtha, acetone, toluene or water can be used. This composition is the preferred vehicle for application to the surface coating to be removed or component to be discarded. Various grades, compositions and ratios of alkaline earth metals, alkali metals, resins and surfactants, solvent or water can be used. The ratios and selection of stabilizing material and active material depend on the coating to be removed and can be adjusted. For example, iron sulfate can be preferentially added when chrome is present.

Example II:

In another embodiment, magnesium hydroxide, tri sodium phosphate and potassium silicate and solvents are mixed to form a treatment composition. The resulting composition functions as a chemical paint stripper that removes an old coating and also reacting with the waste and rendering the resultant waste non hazardous for leachable lead. The compositions of the present invention provide non-leachability of the heavy metals contained in the stripped coating.

Example III:

Mono calcium phosphate and magnesium oxide are mixed in conjunction with a standard encapsulant (such as water based acrylic elastomerics) that can be applied to surfaces and left in place to prevent chipping and peeling. When the encapsulant and underlying coating are removed, the waste will test nonhazardous for disposal.

Example IV:

A composition consisting of calcium oxide and tri sodium phosphate was applied as a slurry in conjunction with a water blasting system in which water was used as the abrasive.

In addition to the foregoing, the following formulations provide very usable coatings:

Example V:

Potassium Silicate	5 parts
Portland Cement	2 parts
Magnesium Oxide	5 parts
Magnesium Hydroxide	9 parts
Water	20-24 parts

Example VI:

Monocalcium Phosphate	5 parts
Portland Cement	6 parts
Magnesium Oxide	5 parts
Magnesium Hydroxide	9 parts
Water	32 parts

Example VII:

Potassium Silicate	5 parts	
Portland Cement	2 parts	
Magnesium Oxide	5 parts	
Magnesium Hydroxide	9 parts	
Water	8 parts	
Oil	8 parts	
Vegetable surfactant		0.5 parts

Example VIII:

Potassium Silicate	5 parts
Portland Cement	6 parts
Magnesium Oxide	5 parts
Magnesium Hydroxide	9 parts
Water	30 parts
Surfactant	2 parts

Example IX:

Magnesium oxide and calcium phosphate are mixed with N-methyl pyrrolidone, dimethyl glutarate, dimethyl adipate, toluene, acetone, MEK, sodium hydroxide, methanol, or ethyl 3 ethoxypropionate in varying ratios along with thixotropes and wax sealers to create a chemical stripper that will remove paint and render any waste generated non-hazardous.

Example X:

Magnesium oxide and calcium phosphate are mixed with a moisture cure urethane, epoxy or alkyd paint system to form an overcoating that will render waste non-hazardous when removed in the future.

The present invention provides compositions that react with the metal and the surrounding material to prevent hazardous metals such as lead in a waste generated during a paint removal or discarding process from being classified a hazardous waste. The hazardous metals constituents are thus stabilized into a form resistant to leaching.

Examples of the type and amount of surface preparation chemistry used in the removal process are normally categorized based on the amount and type of offending elements in the coating to be removed. Generally, the wastes are categorized around the presence of leachable heavy metals in the coating. The hazardous elements are usually found in paints and other protective coatings. The amount of hazardous material in the waste is determinative as to whether the waste complies with the EPA regulations through the TCLP test.

In another presently preferred embodiment, compositions of the present invention are mixed with abrasives and directly ejected onto the surface to be treated. It is preferred that the abrasive be a nonliquid. In addition, the composition is preferably selected from calcium and potassium silicate or portland cement types I to IV and one of sodium, calcium or potassium phosphate, calcium silicate, iron and aluminum sulfate.

Illustrative of the process of the invention: Calcium phosphate pellets are mixed with a standard abrasive in the amount of 5-35% by weight and ejected onto a surface to remove coatings and render the waste non-hazardous.

EXAMPLE A

The following tests were performed using the composition of the present invention mixed with an abrasive. Three samples were tested. An abrasive without the composition, abrasive + 10% composition and abrasive + 5% composition.

Abrasive Sixteen pounds of garnet abrasive was used to blast 4 square feet of surface area. All the spent abrasive and removed paint was collected and tested for leachable lead using EPA procedures.

Abrasive + 10% Similar to the test without, except that 10% of the active ingredients of composition were added to the abrasive.

Abrasive + 5% Similar to the test without, except that 5% of the active ingredients of composition were added to the abrasive.

The results are set forth in Table I.

TABLE I

Sample Identification	Element	Result	Maximum Allowable Limit	Operating Detecting Limit
Abrasive	Lead	43 ppm	5.0 ppm	0.2 ppm
Abrasive + 10%	Lead	*BDL	5.0 ppm	0.2 ppm
Abrasive + 5%	Lead	*BDL	5.0 ppm	0.2 ppm

EXAMPLE B

Paint was removed from a typical bridge coated with lead based paint. The lead content of the paint on the bridge was 36% (360,000 PPM). The paint was removed with

a needle gun from two areas, one that was treated with 40 mils wet of a composition such as described in Example I and one which had no treatment whatsoever.

The waste generated from the composition of the invention treated areas leached (TCLP Method 1311) lead at 0.75 PPM while the untreated area leached lead at 35 PPM.

Paint was also removed using abrasive blasting techniques. Paint was removed using typical production equipment and pressures. The abrasive was garnet at 4 pounds per square foot. The paint was blasted from two areas, one with no treatment and one which had been coated with 40 mils (wet) of a composition such as described in Example I. The waste generated from the treated areas leached (TCLP Method 1311) lead below the detection limit 0.2 PPM (BDL) while the untreated area leached at 40 PPM.

EXAMPLE C

Samples of various architectural components (doors, window frames, trim, etc.) were removed from housing units on a United States Coast Guard base. The components were covered with paint that leached at 20 PPM and higher (TCLP Method 1311).

The same components were treated with the coating and returned with leachability results of 1.5 PPM and lower.

While presently preferred embodiments of the invention have been described in particularity, the invention may be otherwise embodied within the scope of the appended claims.

WHAT IS CLAIMED IS:

1. A method for removing a coating on a surface comprising ejecting an abrasive admixed with a treatment material comprising at least one compound selected from the group consisting of calcium, sodium or potassium silicate, portland cement type I to IV, and sodium and potassium calcium phosphate and iron or aluminum sulfate.

2. A method for removing a coating as set forth in Claim 1 wherein said treatment material is portland cement and potassium phosphate or Calcium Phosphate.

3. A treatment material for use in a method for removing a coating having a hazardous metal or compound contained therein said treatment material selected from the group consisting of:

Sodium Silicate	Diammonium Phosphate
Sodium Metasilicate	Dicalcium Phosphate
Sodium Orthosilicate	Dipotassium Phosphate
Potassium Silicate	Tricalcium Phosphate
Aluminum Sulfate	Trisodium Phosphate
Alum	Sodium Metabisulfite
Ferrous Sulfate	Metallic Iron
Ferric Sulfate	Silicate of Soda
Tricalcium Silicate	Soda Ash (Sodium Carbonate)
Dicalcium Silicate	Caustic Potash (Potassium)
Tricalcium Aluminate	Hydroxide
Calcium Carbonate	Calcium Phosphate
Phosphoric Acid	Polythio Carbonate

4. A treatment material for use in a method for removing a coating having a hazardous metal or compound contained therein, said treatment material comprising:

a. i. an alkali metal silicate or alkaline earth metal silicate or portland cement,

ii. an alkali metal or alkaline earth metal phosphate, or

iii. an oxide or hydroxide of a magnesium, aluminum, iron, potassium or sodium in a ratio of 10:0 to 0:0:1; and

b. a solvent selected from water, aliphatic hydrocarbons, aromatic hydrocarbons, alcohols, esters, glycol ethers, ketones, chlorinated solvents and glycols.

5. A treatment material as set forth in Claim 4 wherein said ratio of part a are between 10:1:02 to 7:1:05.

6. A treatment material as set forth in Claim 4 including a resin and surfactant compatible with the solvent.

7. A treatment material for admixture with a paint stripper comprising an alkali metal or alkaline earth metal silicate or portland cement and an alkali metal or alkaline earth metal silicate, oxide, hydroxide or portland cement and an alkali metal phosphate, oxide or hydroxide.

8. A treatment material for use with an encapsulant or overcoating comprising an alkali metal or alkaline earth metal silicate oxide or hydroxide or portland cement and an alkali metal or alkaline earth metal phosphate.

9. A treatment material for use with an abrasive in removing coatings having a hazardous metal or compound contained therein, said treatment material comprising:

a. an alkali metal or alkaline earth metal silicate oxide or hydroxide or portland cement types I to V; and

b. an alkali metal or alkaline earth metal phosphate.

10. A method for removing from a surface a coating having a hazardous metal comprising applying a treatment compound as set forth in Claim 3 to said coating and removing said coating and treatment compound.

11. The method as set forth in Claim 10 wherein said treatment compound includes a solvent and is applied as a layer on said coating.

12. The method as set forth in Claim 10 wherein said treatment compound is applied by ejection on to said surface.

13. A treatment material comprising magnesium oxide and calcium phosphate mixed in an alkyd, epoxy, acrylic, elastomeric or urethane paint system.

ABSTRACT OF THE DISCLOSURE

A method for removing a coating on a surface by applying a treatment composition layer to the coating to be removed. The treatment composition layer is made up of (Is) a first material selected from the compounds of sodium and potassium silicates, sodium and potassium phosphate, calcium silicate, iron and aluminum sulfates. An abrasive is injected against the coating to be removed so that the treatment composition layer and coat to be removed are removed and any hazardous material in the layer to be removed is contained.

49275/2

Docket No.

94-042 CIP/CIP

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND COMPOSITION FOR REMOVING COATINGS WHICH CONTAIN HAZARDOUS ELEMENTS

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

08/832,958

04/04/97

pending

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

08/322,252

10/12/94

patented

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Thomas C. Wettach, Reg. No. 24,455
Gerald J. Iwanejko, Jr., Reg. No. 38,501

Christine L. Wettach, Reg. No. 41,373
Frederick L. Tolhurst, Reg. No. 28,123

Send Correspondence to: **Cohen & Grigsby, P.C.**
11 Stanwix Street, 15th Floor
Pittsburgh, Pennsylvania 15222

Direct Telephone Calls to: *(name and telephone number)*

Thomas C. Wettach 412-297-4900

Full name of sole or first inventor Thomas C. Rolle	
Sole or first inventor's signature	Date
Residence 2449 Birchwood Drive, Dubuque, IA 52002 USA	
Citizenship US	
Post Office Address 2449 Birchwood Drive, Dubuque, IA 52002 USA	

Full name of second inventor, if any James C. Wachtel	
Second inventor's signature	Date
Residence 2075 Ogilby Road, Dubuque, IA 52002 USA	
Citizenship USA	
Post Office Address 2075 Ogilby Road, Dubuque, IA 52002 USA	

Full name of third inventor, if any Gary L. Tinklenberg	
Third inventor's signature	Date
Residence 3639 Oak Meadow Lane, Lowell, MI 49331 USA	
Citizenship US	
Post Office Address 3639 Oak Meadow Lane, Lowell, MI 49331 USA	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	